

PHILLIP A. TALBERT
United States Attorney
KATHERINE E. SCHUH
Assistant United States Attorneys
2500 Tulare Street, Suite 4401
Fresno, California 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099
Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RENE MEZA, et al.,

Defendants.

CASE NO. 1:20-CR-00027-JLT-SKO

STIPULATION TO CONTINUE STATUS
CONFERENCE AND ORDER

Date: September 21, 2022
Time: 1:00 p.m.
Honorable Sheila K. Oberto

This case is set for a status conference on September 21, 2022, which the parties stipulate to continue to December 21, 2022, for the reasons set forth below.

STIPULATION

The parties request that time be excluded between September 21, 2022, and December 21, 2022, for the following reasons: counsel for the defendants need additional time to review the discovery, consult with their clients, and conduct further investigation. The case involves several undercover conversations, a drug transaction, approximately 8000 pages of discovery, and digital discovery in the form of several gigabytes. The proposed status conference date represents the earliest date that all counsel are available thereafter, taking into account counsels' schedules, defense counsels' commitments to other clients, and the need for preparation in the case and further investigation. Defense counsel also desire additional time to discuss potential resolution with their respective clients and the government. In addition, the public health concerns cited by General Order 611, 612, 617, 618, and 620 and presented by the evolving COVID-19 pandemic, an ends-of-justice delay is particularly apt in this case because counsel or other relevant individuals have been encouraged to telework and minimize

personal contact to the greatest extent possible. It will be difficult to avoid personal contact should the hearing proceed and it is difficult for defense counsel to meet with their clients and review discovery.

The parties further believe that time should be excluded, in that failure to grant the requested case schedule would unreasonably deny the defendants continuity of counsel, and unreasonably deny both the defendants and the government the reasonable time necessary for effective preparation, taking into account the parties' due diligence in prosecuting this case. 18 U.S.C. Section 3161(h)(7)(B)(iv). Based on the above-stated findings, the ends of justice served by the schedule as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act. Therefore, the parties request that the Court exclude the time until the new trial date from calculations under the Speedy Trial Act.

IT IS SO STIPULATED.

Dated: September 2, 2022

PHILLIP A. TALBERT
United States Attorney

By: /s/ KATHERINE E. SCHUH
KATHERINE E. SCHUH
Assistant United States Attorney

Dated: September 2, 2022

/s/ Peter Jones
Attorney for Defendant Rene Meza

Dated: September 2, 2022

/s/ Barbara O'Neill
Attorney for Defendant Basilio Chavez, Jr.

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ORDER

IT IS HEREBY ORDERED that the status conference in this case be continued from September 21, 2022, until December 21, 2022, at 1:00 p.m.

IT IS FURTHER ORDERED THAT the ends of justice served by the schedule set forth herein as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act for the reasons stated in the parties' stipulation. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 21, 2022 and December 21, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

The parties shall be prepared to select a mutually agreeable trial date at the next status conference.

IT IS SO ORDERED.

DATED: 9/5/2022

Sheila K. Oberto

THE HONORABLE SHEILA K. OBERTO
UNITED STATES DISTRICT JUDGE